



**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

**[EPA-HQ-OPP-2015-0032; FRL-9936-73]**

**Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of filing of petitions and request for comment.

**SUMMARY:** This document announces the Agency's receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before *[insert date 30 days after date of publication in the Federal Register]*.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

**15P-0293**

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Susan Lewis, Registration Division (RD) (7505P), main telephone number: (703) 305-7090; email address: [RDfRNotices@epa.gov](mailto:RDfRNotices@epa.gov). The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each pesticide petition summary.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the pesticide petition summary of interest.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

**II. What Action is the Agency Taking?**

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the requests before

responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

#### **Amended Tolerances**

*PP 5E8399.* (EPA–HQ–OPP–2015–0658). IR-4 Project Headquarters, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, proposes upon establishment of tolerances referenced above under “New Tolerances” to remove existing tolerances in 40 CFR 180.568 for residues of the herbicide, flumioxazin 2-[7-fluoro-3,4-dihydro3-oxo-4-(2-propionyl)-2H-1,4-benzoxazin-6-yl]-4,5,6,7-tetrahydro-1H-indole-1,3(2H)-dione in or on the raw agricultural commodities: Cabbage at 0.02 ppm; cabbage, Chinese, napa at 0.02 ppm, fruit, pome group 11 at 0.02 ppm, fruit, stone, group 12 at 0.02 ppm, garlic at 0.02 ppm, grape at 0.02 ppm, nut, tree group 14 at 0.02 ppm, okra at 0.02 ppm, onion, bulb at 0.02 ppm,

pistachio 0.02 ppm shallot bulb at 0.02 ppm, strawberry at 0.07 ppm and vegetable, fruiting group 8 at 0.02 ppm. Adequate enforcement methodology (gas chromatography/nitrogen-phosphorus detection (GC/NPD) method, Valent Method RM30-A-3) is available to enforce the tolerance expression. Contact: RD.

### **New Tolerances**

1. *PP 5E8399*. (EPA–HQ–OPP–2015–0658). Interregional Research Project Number 4 (IR–4), IR-4 Project Headquarters, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, requests to establish tolerances in 40 CFR 180.568 for residues of the herbicide, flumioxazin 2-[7-fluoro-3,4-dihydro-3-oxo-4-(2-propionyl)-2H-1,4-benzoxazin-6-yl]-4,5,6,7-tetrahydro-1H-indole-1,3(2H)-dione in or on the raw agricultural commodities: Berry, low growing, subgroup 13-07G at 0.07 parts per million (ppm); *Brassica*, head and stem, subgroup 5A at 0.02 ppm, caneberry, subgroup 13-07A at 0.40, citrus oil at 0.1 ppm, clover, forage at 0.02 ppm, clover, hay at 0.15 ppm; fruit, citrus group 10-10 at 0.02 ppm, fruit, pome group 11-10 at 0.02 ppm, fruit, small vine climbing, except fuzzy kiwifruit, subgroup 13-07F at 0.02 ppm, fruit, stone, group 12–12 at 0.02 ppm, nut, tree group 14–12 at 0.02 ppm, onion, bulb subgroup 3-07A at 0.02 ppm and vegetable, fruiting group 8-10 ppm at 0.02. Adequate enforcement methodology (gas chromatography/nitrogen-phosphorus detection (GC/NPD) method, Valent Method RM30-A-3) is available to enforce the tolerance expression. Contact: RD.

2. *PP 5E8401*. (EPA–HQ–OPP–2015–0705). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27409-8300, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, Thiamethoxam, in or on banana at 0.04 parts per million (ppm). The HPLC/UV or MS detection method is used to measure and evaluate the chemical Thiamethoxam and the metabolite, CGA-322704. Contact: RD.

## New Tolerance Exemptions

1. *PP 4F8253*. (EPA–HQ–OPP–2014–0679). ISK Biosciences Corporation, 7470 Auburn Road, Suite A Concord, OH 44077, requests to establish an exemption from the requirement of a tolerance for indirect or inadvertent residues of the insecticide, Cyclaniliprole, in or on all food commodities that do not have tolerances. In the **Federal Register** of May 6, 2015, (80 FR 18327) (FRL–9924–00), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 4F8253) by ISK Biosciences Corporation requesting that that 40 CFR part 180 be amended by establishing tolerances on various agricultural commodities for residues of the insecticide, Cyclaniliprole. That petition (PP 4F8253) has since been amended to also request an exemption from the requirement of a tolerance for indirect or inadvertent residues of all food commodities which the EPA does not established tolerances. The analytical method Liquid Chromatography-MS/MS is available to EPA for the detection and measurement of the pesticide residues. Contact: RD.

2. *PP IN-10791*. (EPA–HQ–OPP–2015–0660). Technology Sciences Group, 1150 18th St., NW., Suite 1000, Washington, DC 20036, on behalf of Stepan Company, 22 West Frontage Road, Northfield, IL 60093, requests to establish an exemption from the requirement of a tolerance for residues of N,N-dimethyl 9-decenamide (CAS Reg. No. 1356964-77-6) when used as an inert ingredient (surfactant or solvent) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

3. *PP IN-10805*. (EPA–HQ–OPP–2015–0723). Technology Sciences Group, 1150 18th St., NW., Suite 1000, Washington, DC 20036, on behalf of Stepan Company, 22 West Frontage Road,

Northfield, IL 60093, requests to establish an exemption from the requirement of a tolerance for residues of N,N-dimethyltetradecanamide (CAS Reg. No. 3015-65-4) when used as an inert ingredient (solvent) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

4. *PP IN-10806*. (EPA-HQ-OPP-2015-0720). Technology Sciences Group, 1150 18th St., NW., Suite 1000, Washington, DC 20036, on behalf of Stepan Company, 22 West Frontage Road, Northfield, IL 60093, requests to establish an exemption from the requirement of a tolerance for residues of N,N-dimethyldodecanamide (CAS Reg. No. 3007-53-2) when used as an inert ingredient (solvent) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

5. *PP IN-10839*. (EPA-HQ-OPP-2015-0697). Technology Sciences Group, 1150 18th St., NW., Suite 1000, Washington, DC 20036, on behalf of Doosan Corporation, 864 B/5F. 864-1, luidong. Yeongtong-gu, Suwon-si, Gyeonggi-do, 443-284, Republic of Korea, requests to establish an exemption from the requirement of a tolerance for residues of monoethanolamine (CAS Reg. No. 141-43-5) when used as an inert ingredient (solvent) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

6. *PP IN-10841*. (EPA-HQ-OPP-2015-0719). Eastman Chemical Company, Inc., 200 South

Wilcox Drive, Kingsport, TN 37660-5280, requests to establish an exemption from the requirement of a tolerance for residues of N-butyl-3-hydroxybutyrate (CAS Reg. No. 53605-94-0) and isopropyl-3-hydroxybutyrate (CAS Reg. No. 54074-94-1) when used as inert ingredients (solvents) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910, applied to animals under 40 CFR 180.930, and when used in antimicrobial formulations (food-contact surface sanitizing solutions) under 40 CFR 180.940(a). The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD

7. *PP IN-10843*. (EPA-HQ-OPP-2015-0718). BASF Corporation, 26 Davis Drive, Research Triangle Park, NC 27709, requests to establish an exemption from the requirement of a tolerance for residues of propenoic acid, 2-methyl-, polymers with tert-Bu acrylate, Me methacrylate, polyethylene glycol methacrylate C16-C18-alkyl ethers and vinylpyrrolidone, tert-Bu 2-ethylhexaneperoxoate-initiated, compds. with 2-amino-2-methyl-1-propanol (CAS Reg. No. 1515872-09-9) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

8. *PP IN-10853*. (EPA-HQ-OPP-2015-0717). Technology Sciences Group, 1150 18th St., NW., Suite 1000, Washington, DC 20036, on behalf of Jeneil Biosurfactant Company, 400 N. Dekora Woods Blvd. Saukville, WI 53080, requests to establish an exemption from the requirement of a tolerance for residues of 2-phenylethyl acetate (CAS Reg. No. 103-45-7) when used as an inert ingredient (solvent) in pesticide formulations applied to growing crops or raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.



**Authority:** 21 U.S.C. 346a.

Dated: November 13, 2015.

Daniel J. Rosenblatt, Acting

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 2015-29808 Filed: 11/20/2015 8:45 am; Publication Date: 11/23/2015]